

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00484

Era Matthews,
Plaintiff,

v.

Commissioner,
Social Security Administration,
Defendant.

Before BARKER, *District Judge*

ORDER

On October 29, 2019, United States Magistrate Judge K. Nicole Mitchell ordered the plaintiff to either pay the filing fee or submit an application to proceed *in forma pauperis* within five business days. Doc. 3. The plaintiff missed that deadline. On November 6, 2019, Judge Mitchell issued a report and recommendation recommending that the complaint be dismissed without prejudice for failure to prosecute. Doc. 4. No objections have been filed. When no party objects to a magistrate judge's report and recommendation within 14 days of service, the district court "need only satisfy itself that there is no clear error on the face of the record." *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc) (cleaned up). Here, there is no clear error.

Therefore, the court **adopts** the magistrate judge's report and recommendation (Doc. 4). This action is **dismissed without prejudice** for failure to prosecute. Fed. R. Civ. P. 41(b). The court **denies** the plaintiff's untimely motion to proceed *in forma pauperis* (Doc. 5). Any other motion not previously ruled on is **denied as moot**.

So ordered by the court on January 3, 2020.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is positioned above a horizontal line.

J. CAMPBELL BARKER
United States District Judge